

AG Contract No.: KR02-1931TRN  
ADOT ECS File No.: JPA 02-140-Amendment ONE  
Project No.: TEA 387-A-(004)A  
Project: SR 387 (Pinal Avenue)  
Section: MP 6.0 ~ MP 8.25  
TRACS No.: H6742 01C  
Budget Source Item No.: 75306

**AMENDMENT NO. ONE (1)**

**INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF CASA GRANDE

**THIS AGREEMENT** is entered into this date December 23, 2005, **Amendment One** to JPA 02-140, AG Contract No.: KR02-1931TRN, filed 19 November, 2002, filed with the Secretary of State under No. 25633, pursuant to Arizona Revised Statutes §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF CASA GRANDE, ARIZONA, acting by and through its CITY MANAGER and CITY COUNCIL (the "City").

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes § 28-401 and to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

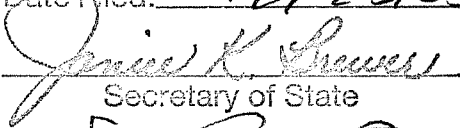
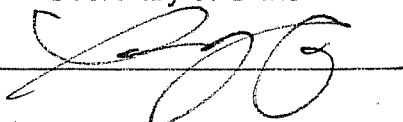
2. The City is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.

3. It is to the mutual advantage of the State and the City to landscape 2 sections on the east side of SR 387 (Pinal Avenue), in Casa Grande from milepost (MP) 1.18 to approximately MP 2.0 (O'Neil to Korsten), (TRACS No. H5698 01C); and from MP 5.2 to approximately MP 6.0 (Airport Entrance to Val Vista Boulevard), (TRACS No. H6182 01C), within existing medians in Casa Grande, herein referred to as the "Project". The Project will include the installation of drought tolerant landscaping, gravel mulch and irrigation within the Project area. The purpose of this agreement is to define each party's responsibility regarding the design, construction, funding and maintenance of the Project.

**This Agreement is Amended as Follows:**

4. The scope of the Project is to extend the landscaping enhancements within existing medians on both sides of the Pinal Avenue (SR 387) with the same criteria as mentioned above in I. 3. The (2) sections of continued landscaping are; north of Val Vista Boulevard to the Gila River Indian Community (GRIC) boundary and a roughly 400 foot long section south of the Casa Grande Municipal Airport entrance.

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NO. 25633  
Filed with the Secretary of State  
Date Filed: 12/23/05  
  
Secretary of State  
By: 

**EXCEPT AS AMENDED** herein, all other terms and conditions of Agreement JPA 02-140 executed November 19, 2002 (attached) remains in full force and in effect:

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**IN WITNESS WHEREOF**, the parties have executed this Agreement the day and year first above written.

**CITY OF CASA GRANDE**


**STATE OF ARIZONA**

Department of Transportation

By

  
JIM THOMPSON  
City Manager

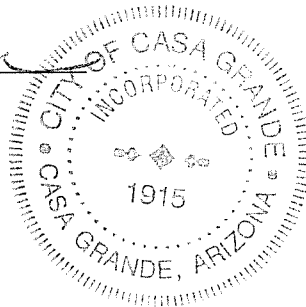
By

  
SUSAN TELLEZ  
Contract Administrator

ATTEST

By

  
GLORIA LEIJA  
City Clerk



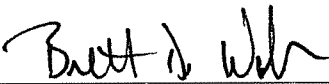
JPA 02-140

**Amendment One**

APPROVAL OF THE CITY OF CASA GRANDE

I have reviewed the above referenced intergovernmental Agreement between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the CITY OF CASA GRANDE, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the CITY under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 30<sup>th</sup> day of NOVEMBER, 2005.

  
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City Attorney

RESOLUTION NO. 3231.1

A RESOLUTION OF THE COUNCIL OF THE CITY OF CASA GRANDE, ARIZONA, APPROVING AMENDMENT NO. 1 TO THE CITY'S AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION TO EXTEND THE LANDSCAPING ENHANCEMENTS WITHIN EXISTING MEDIANS ON BOTH SIDES OF PINAL AVENUE; AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT.

BE IT RESOLVED by the Council of the City of Casa Grande, Arizona, as follows:

The Mayor and Council of the City of Casa Grande hereby:

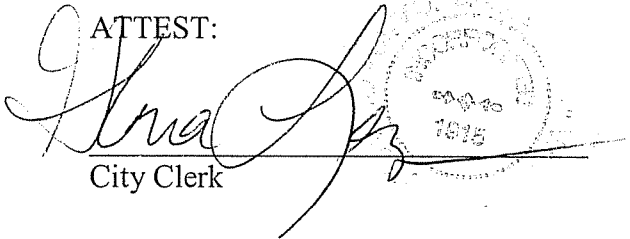
1. Approve Amendment No. 1 to the City's agreement with the Arizona Department of Transportation, Intermodal Transportation Division (identified in Casa Grande City records as Casa Grande Contract # 1102-7) to extend the landscaping enhancements within existing medians on both sides of Pinal Avenue; and
2. Execution by the City Manager of the above identified amendment in accordance with the terms contained therein.

PASSED AND ADOPTED by the Mayor and Council of the City of Casa Grande, Arizona, this 5th day of December, 2005.



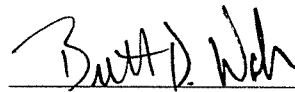
Mayor

ATTEST:




City Clerk

APPROVED AS TO FORM:



City Attorney

<p><b>TERRY GODDARD</b> Attorney General</p>	 <p><b>OFFICE OF THE ATTORNEY GENERAL</b> STATE OF ARIZONA</p>	<p><b>CIVIL DIVISION</b> <b>TRANSPORTATION SECTION</b> Writer's Direct Line: 602.542.8855 Facsimile: 602.542.3646 E-mail: Susan Davis@azag.gov</p>
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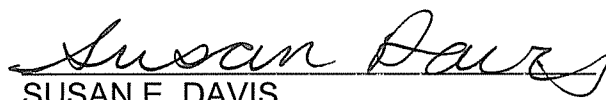
**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR02-1931TRN (**JPA 02-140, Amendment ONE**), an Agreement between public agencies, i.e., The State of Arizona and The City of Casa Grande, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: December 14, 2005

TERRY GODDARD  
Attorney General

  
SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

SED:mjf:938839  
Attachment